

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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BILLY BURKE

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Defendant.

3:10-cv-00582-LRH-WGC

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge William G. Cobb (#12<sup>1</sup>) entered on February 6, 2012, recommending denying Plaintiff's Motion for Reversal of the Commissioner's Decision (#8) filed on March 12, 2011, and granting Defendant's Cross Motion for Summary Judgment (#10) filed on April 8, 2011. Plaintiff filed his Objections to Report and Recommendation of United States Magistrate Judge (#13) on February 22, 2012, and then filed his Amended Objections (#14) on March 12, 2012. Defendant filed a Response to Plaintiff's Objections to the Report and Recommendation of the United States Magistrate Judge (#17) on March 26, 2012. This matter was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of

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<sup>1</sup>Refers to court's docket number.

1 the Plaintiff, the response of the Defendant, the pleadings and memoranda of the parties and other  
2 relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court  
3 determines that the Magistrate Judge's Report and Recommendation (#12) entered on February 6,  
4 2012, should be adopted and accepted.

5 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#12)  
6 entered on February 6, 2012, is adopted and accepted, and Plaintiff's Motion for Reversal of the  
7 Commissioner's Decision (#8) is **DENIED**.

8 IT IS FURTHER ORDERED that Defendant's Cross Motion for Summary Judgment (#10)  
9 is **GRANTED**.

10 IT IS FURTHER ORDERED that the Administrative Law Judge's decision is **AFFIRMED**.

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12 IT IS SO ORDERED.

13 DATED this 22nd day of May, 2012.



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16 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE